

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: May 3, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2294 (Mr. Sherrod Brown of Ohio et al.).

**Proponent name,<sup>3</sup> location:** Perstorp Polyols, Inc., Toledo, OH.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

Polymers of propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-with 2,2-bis(hydroxymethyl)-1,3-propanediol and oxirane (CAS No. 326794-48-3) (provided for in subheading 3907.99.01).

**Check one:**     ☒ Same as that in bill as introduced.  
                     ☐ Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject product is a dendritic polyester polymer. It is used to make acrylates that are used to make certain inks and coatings that are cured by ultraviolet light. It is also used as a component in polyurethane foams. The product is imported from Germany and Sweden.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3907.99.01:**

	2010	2011	2012	2013	2014
					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$625,362	\$656,630	\$689,462	\$723,935	\$760,132
Customs revenue loss <sup>b</sup>	\$40,649	\$42,681	\$44,815	\$47,056	\$49,409

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

<sup>4</sup> Heading 9902.23.94 expired on December 31, 2009.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Perstorp Polyols, Inc. (Proponent) Evelyn M. Suarez, 202-293-8116	12/30/2009	No	No	No
American Plastics Council Jean M. Vallianos, 703-741-5610	12/30/2009	No	No	No
Avecia Limited Melissa Coyle, 202-624-2500	12/30/2009	No	No	No
Bayer Corporation Karen L. Niedermeyer, 412-777-2058	12/30/2009	No	No	No
Solutia Inc. Bob Hurley, 202-289-9800	12/30/2009	No	No	No

**Technical comments:**<sup>5</sup> None.

<sup>5</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

111TH CONGRESS  
1ST SESSION

# S. 2294

To extend temporarily the suspension of duty on Boltom H20, H30, H40,  
H2085.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. BROWN (for himself and Mr. VOINOVICH) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To extend temporarily the suspension of duty on Boltom  
H20, H30, H40, H2085.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BOLTOM H20, H30, H40, H2085.**

4 (a) IN GENERAL.—Heading 9902.23.94 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Boltom H20, H30, H40, H2085) is amended by striking  
7 the date in the effective column period and inserting “12/  
8 31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

